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PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND
TWO HUNDRED AND FIFTY-SIXTH MEETING

Held at Headquarters, New York,
on Tuesday, 20 July 1993, at 4 p.m.

President:	Sir David HANNAY	(United Kingdom of Great Britain and Northern Ireland)	
Members:	Brazil		Mr. de ARAUJO CASTRO
	Cape Verde		Mr. BARBOSA
	China		Mr. CHEN Jian
	Djibouti		Mr. OLHAYE
	France		Mr. LADSOUS
	Hungary		Mr. BUDAI
	Japan		Mr. HATANO
	Morocco		Mr. BENJELLOUN-TOUIMI
	New Zealand		Mr. KEATING
	Pakistan		Mr. MARKER
	Russian Federation		Mr. VORONTSOV
	Spain		Mr. PEDAUYE
	United States of America		Mr. INDERFURTH
	Venezuela		Mr. ARRIA

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The meeting was called to order at 4.15 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

COMPLAINT BY UKRAINE REGARDING THE DECREE OF THE SUPREME SOVIET OF THE RUSSIAN FEDERATION CONCERNING SEVASTOPOL

LETTERS DATED 13 AND 16 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF UKRAINE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/26075 and S/26100)

LETTER DATED 19 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/26109)

The PRESIDENT: I should like to inform the Council that I have received a letter from the representative of Ukraine in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Tarasyuk (Ukraine) took a place at the Council table.

The PRESIDENT: On behalf of the Council, I welcome the Deputy Minister for Foreign Affairs of Ukraine.

The Security Council will now begin its consideration of the item on the agenda.

The Security Council is meeting in response to the request contained in a letter dated 16 July 1993 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council, document S/26100.

(The President)

I should like to draw the attention of the members of the Council to the following documents: S/26075, letter dated 13 July 1993 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council; and S/26109, letter dated 19 July 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council.

The first speaker inscribed on my list is the Deputy Foreign Minister of Ukraine, His Excellency Mr. Boris Tarasyuk, on whom I now call.

Mr. TARASYUK (Ukraine) (interpretation form Russian): Allow me to congratulate you, Sir, on your assumption of the important and responsible post of President of the Security Council for the month of July. We are convinced that your great experience, professional qualities and diplomatic skills will assist the Council in seeking the best way to solve the problem on today's agenda, in the interests of the States involved and also in the interest of strengthening international peace and security.

The delegation of Ukraine would also like to express its gratitude to the Permanent Representative of Spain to the United Nations for his successful guidance of the work of the Security Council during the month of June.

As the Council is already aware, on 9 July this year the Supreme Soviet, the Parliament of the Russian Federation, adopted a Decree concerning the status of the city of Sevastopol in which, in reference to that Ukrainian city, it is affirmed that

> "it has Russian federal status within the administrative and territorial borders of the city district as of December 1991".

In that Decree the Council of Ministers, the Government of the Russian Federation, the Central Bank of Russia and the Russian Federal Ministries and Departments are entrusted with the task of

> "working out a State programme to ensure the status of the city of Sevastopol", and the Parliamentary Committee on Constitutional Legislation is charged with drafting a law to enshrine this illegal decision in the Constitution.

In fact, for the first time, the highest legislative body in Russia has overtly and unambiguously put forward territorial claims to Ukraine and has wrapped in legal form that which on numerous occasions throughout the last two years has manifested itself in the statements of certain irresponsible

(Mr. Tarasyuk, Ukraine)

politicians of the Russian Federation. That is the particular danger in the decision now under consideration.

That action of the Russian Parliament has drawn unambiguous condemnation from the President, the executive and legislative branches and all political parties an movements in Ukraine. This irresponsible decision by the Russian Parliament can be described only as a flagrant flouting of the fundamental principles and norms of international law, in particular paragraph 4 of Article 2 of the United Nations Charter. It is a clear encroachment on Ukraine's territorial inviolability, a revision of existing boundaries, interference in Ukraine's internal affairs and, in both spirit and letter, incompatible with the purposes and principles of the United Nations. This decision is a flagrant violation of the international commitments flowing from Russia's membership in the United Nations, its participation in the Conference on Security and Cooperation in Europe and the Treaty between Ukraine and Russia ratified by that very same Russian Parliament on 19 November 1990, which has been registered with the United Nations Secretariat in accordance with the United Nations Charter.

The Charter, which is the fundamental legal document for today's international relations and which has been violated in this case by the Russian Parliament, was previously ratified by the Supreme Soviet of the former USSR, whose seat in the Security Council is now occupied by the Russian Federation. Thus, there is sufficient basis for the Security Council to describe the actions of the Parliament of the Russian Federation as incompatible with the United Nations Charter.

In its Decree of 14 July this year, the Ukrainian Parliament described the decision by the Supreme Soviet of Russia as an "aggressive political act" against Ukraine. Ukraine considers the decision of the Supreme Soviet of the

(Mr. Tarasyuk, Ukraine)

Russian Federation to be void of any legal validity or any legal consequences for Ukraine, inasmuch as, in accordance with the 1978 Constitution of Ukraine and the 1978 Constitution of the Russian Soviet Federative Socialist Republic - adopted, incidentally, before the Ukrainian one - Sevastopol is indisputably recognized as an integral part of Ukraine. Hence, the question of the status of the city of Sevastopol falls exclusively within the competence of Ukraine.

The situation that has arisen as a consequence of this well-known Decree of the Supreme Soviet of the Russian Federation is highly dangerous. Attempts to implement this decision by the Russian authorities, which are already beginning, could lead to appropriate actions by Ukraine for the purpose of defending its sovereignty, territorial integrity and inviolability. The development of the resulting situation, taking into account the complex trends towards international-relations crises in the Eastern European region, could have unforeseeable consequences and seriously threaten the maintenance of international peace and security.

This has convinced the leadership of Ukraine that this situation, in accordance with Article 34, requires consideration by so authoritative a body as the Security Council, to which we are appealing, in accordance with our right under Article 35.

I should like, in particular, to draw the Council's attention to the fact that in this case we are dealing with a decision of the highest legislative organ of a neighbouring nuclear Power whose international commitments extend equally to the legislative and the executive branches. It is quite clear that this decision by the Supreme Soviet of the Russian Federation is in essence an overt territorial claim by one State against another.

(Mr. Tarasyuk, Ukraine)

The internal political struggle in any country in the world cannot and must not spread beyond its State borders and affect the interests of other States. Otherwise, the entire system of international relations would be called into question. A failure to see and understand this means that one is deliberately departing from reality and being held captive by illusions.

The significance of the Russian legislature's decision of 9 July cannot possibly be understated. In essence, this is a time bomb, and the one who wields it cannot imagine its full destructive force. Immediately after it was adopted, the instigators of this destructive decision by the Supreme Soviet of the Russian Federation hastened from Moscow to Sevastopol in order to implement it instantly. There is an allegedly spontaneous process forming illegal structures of Russian authority under way in the city, and those behind it are already issuing a call to arms, threatening to call into action the Black Sea fleet and special subdivisions of the Russian armed forces and are attempting to form air assault detachments. Agitators are threatening to turn Sevastopol and the Crimea into a new Dnestr region, a Karabakh or an Abkhazia. They are openly and cynically declaring their lack of concern about possible human casualties. Calls are being heard to deprive the deputies of the Ukrainian Parliament in Sevastapol of their powers and to hold elections to the Russian Supreme Soviet. Who can say with certainty that these are only the naïve fantasies of irresponsible elements? For the purpose of protecting territorial integrity, what should be done by Ukraine's organs and institutions of authority in this situation in their own home?

(Mr. Tarasyuk, Ukraine)

As was stated by the President of Ukraine, Leonid Kravchuk:

"We do not identify this decision by the Russian Parliament with the will of the Russian people and we believe that Russians who hold to positions of peace and friendly relations with Ukraine do not support the Decree by their Parliament."

It is well known that the President and Prime Ministers of both States are making efforts to resolve the existing differences, as a result of which positive trends have recently been noted in Ukrainian-Russian relations.

Incidentally, today talks took place between the Presidents of Ukraine and Russia with a view to seeking specific ways to reduce tension. Agreement has been reached concerning a further meeting of the two Presidents. However, such an approach is not to the liking of certain influential political forces in Russia, which, ignoring civilized norms of behaviour, do not wish to give up these throw-backs to imperial thinking in policy towards Ukraine and the other States that are former Republics of the USSR. They are trying to sow enmity between peoples to provoke conflict in the region in order to destroy peace and stability on the continent.

In Ukraine, as in other countries, the statement by the President of the Russian Federation, Boris Yeltsin on 10 July, and that of the Russian Ministry of Foreign Affairs on 11 July, did not pass unnoticed and we welcome them. This reaction by the executive institutions was natural and understandable. However, behind the careful tapestry of carefully formulated diplomatic sentences we did not hear an unambiguous answer to the question which is now one of great concern to Ukraine and the entire civilized world: have these territorial claims in fact come to an end? The answer to this question, as they say, has yet to be heard. Perhaps the Security Council will provide it.

(Mr. Tarasyuk, Ukraine)

In considering the situation, we must not forget that Ukraine and Russia are both major European States and that there are nuclear weapons on their territories. The Decree of the Supreme Soviet of the Russian Federation is having an extremely adverse effect on the atmosphere of the debate in the Ukrainian Parliament on the question of ratifying the Treaty reducing and limiting strategic weapons. As a consequence, certain Ukrainian Members of Parliament have begun to come out firmly against ratification of the Treaty, quite rightly seeing in the action of their Russian colleagues a threat not only to national but also to international peace and security. It is not difficult to guess where such a pattern of action and reaction could lead.

The arguments I have addressed have obliged us to raise the question of the existence of this unambiguous territorial claim against Ukraine concerning the Ukrainian city of Sevastopol, and, on the basis of paragraph 1 of Article 35 of the United Nations Charter, to inform the Security Council of the situation that has arisen as a result of the decision by the Supreme Soviet, the Parliament of the Russian Federation.

The development of this situation, in our view, is capable of leading to friction between Ukraine and Russia, and the continuation of such friction could threaten the maintenance of international peace and security. Ukraine calls upon the Security Council to describe the Decree of the Supreme Soviet of the Russian Federation of 9 July 1993 on the status of Sevastopol as contrary to the purposes and principles of the United Nations Charter, since it is an encroachment on the territorial integrity and inviolability of Ukraine and interference in its internal affairs.

(Mr. Tarasyuk, Ukraine)

Ukraine urgently calls on the Security Council to use its full authority to condemn and countermand the illegal decision by the Russian Parliament and declare it invalid, and to warn against further steps which might threaten international peace and security throughout the world.

In Ukraine, appropriate reactions are expected from the Security Council to meet the danger of the present situation. The lack of such a response could undermine confidence in this authoritative United Nations body, which bears the primary responsibility for the maintenance of international peace and security, and in which many States of the world see the guarantee of their security. In this case, the Security Council must carry out an act of preventive diplomacy and prevent an escalation of illegal actions.

Doubtless, there is no need to mention the fact that preventive measures, if they are taken, cost the international community a great deal less than involvement in a situation at later and more dangerous stages. This is precisely what the Secretary-General was talking about in his report "An Agenda for Peace". This is exactly the kind of sound and far-sighted approach that we all need in order to avert a disaster which could affect us all.

Now, at a time when Ukraine is resolving the question of genuine guarantees for its security, I should like to emphasize, without exaggerating, that a great deal depends on the description the Council gives of the situation, and we hope that the Security Council will live up to the hopes placed in it.

We must not forget the lessons of history. We must recall that indifference to violations of international law encourage further aggressive acts.

The PRESIDENT: I thank the Deputy Minister for Foreign Affairs of Ukraine for his kind words addressed to me.

Mr. VORONTSOV (Russian Federation) (interpretation from Russian): The question under consideration today has particular significance for Russia because of the extraordinary importance for us of the normal development of good-neighbourly, friendly relations with Ukraine, an independent State, a Member of the United Nations, and a country with whose people the fate of the Russian people is bound by thousands of historical threads.

In that context I should like to emphasize that the Decree adopted on 9 July 1993 by the Supreme Soviet of the Russian Federation concerning the status of the city of Sevastopol diverges from the policy of the President and the Government of the Russian Federation in achieving Russia's interests.

The President of the Russian Federation, Boris Yeltsin, has commented indignantly on this decision, stating on 10 July:

> "I am ashamed of this decision. We need, after all, gradually and calmly to resolve the problem of the Black Sea fleet and the city where it is based."

As is noted in the statement of Russia's Ministry of Foreign Affairs on 11 July, this action by the Supreme Soviet of the Russian Federation, being in essence emotional and declaratory by no means points the way to prospects for real solutions but merely complicates the search for them, which is already difficult enough.

As we remain dedicated to the principle of the inviolability of the borders within the Commonwealth of Independent States, inter alia between the Russian Federation and Ukraine, Russia intends strictly to abide by the fundamental norms of civilized behaviour for States in the international

(Mr. Vorontsov, Russian Federation)

arena, based on the firm ground of international law, respect for the Charter of the United Nations and the principles of the Conference on Security and Cooperation in Europe.

The President and Government of the Russian Federation have been guided by and will continue to be guided by the Treaties and agreements with Ukraine, including, and in particular, those concerning respect for each other's sovereignty and territorial integrity. In this regard, the appropriate legal and treaty basis is already being formed. Thus, article 6 of the Treaty of 19 November 1990 directly stipulates that the parties recognize and respect the territorial integrity of Russia and Ukraine within the boundaries existing in the USSR framework.

In the Dagomys agreement of 23 June 1992, the parties undertook unswervingly to comply with these and other provisions of that document until conclusion of a new, full-scale political treaty that would reflect the new relationship between them. Russia is in favour of speeding up preparations for this new treaty, particularly since its objective was established directly in the communiqué on the results of the Russian-Ukrainian meeting at the highest level in Moscow on 17 June 1993.

(Mr. Vorontsov, Russian Federation)

Without downplaying the negative consequences of the administrative decisions of the leadership of the former USSR on territorial issues, I wish once again to emphasize that the Russian side believes that any problems, no matter how complex, can be resolved only within the framework of political dialogue, taking into account the views and interests of various sectors of the population and in strict compliance with treaties and agreements with the Ukrainian side and the principles of the Conference on Security and Cooperation in Europe and of the United Nations.

Russia will continue actively to work to implement its policy for the further development and extension of Russian-Ukrainian cooperation in all areas.

Mr. MARKER (Pakistan): Pakistan has viewed with concern the recent developments with regard to Sevastopol. It is therefore a matter of deep satisfaction to record and acknowledge the statesmanship that has been displayed by the Governments of the Russian Federation and Ukraine and that is reflected in the presidential statement to be issued by the Council. I also wish to pay tribute, Sir, on behalf of my delegation, to your own valuable contribution to the negotiations, wherein your well-known diplomatic skills helped in the preparation of this important document.

We are convinced that the action taken by the Council today is important, because it will convey the appropriate message to all concerned that the Governments of the Russian Federation and Ukraine have the fullest support of the Security Council in their negotiations to find a peaceful and satisfactory solution to the present crisis. My delegation particularly welcomes the statement of the President of Ukraine when he expresses his belief that

(Mr. Marker, Pakistan)

"Ukrainian-Russian relations will further develop in the interests of both peoples". (S/26075, p. 3)

The PRESIDENT: I thank the representative of Pakistan for his kind words addressed to me.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council has considered the letters dated 13 and 16 July 1993 from the Permanent Representative of Ukraine to the President of the Council (S/26075 and S/26100), transmitting a statement by the President of Ukraine on the Decree adopted by the Supreme Soviet of the Russian Federation on 9 July 1993 concerning Sevastopol and a letter from the Minister for Foreign Affairs of Ukraine on the same matter.

"The Security Council has also considered the letter dated 19 July 1993 from the Permanent Representative of the Russian Federation (S/26109), circulating a statement by the Ministry for Foreign Affairs of the Russian Federation concerning the aforementioned Decree.

"The Security Council shares the deep concern, and welcomes the position, expressed by the President and the Minister for Foreign Affairs of Ukraine concerning the Decree of the Supreme Soviet of the Russian Federation. In this context, it also welcomes the position taken by the Ministry for Foreign Affairs on behalf of the Government of the Russian Federation.

"The Security Council reaffirms in this connection its commitment to the territorial integrity of Ukraine, in accordance with the Charter of the United Nations. The Security Council recalls that in the Treaty

(The President)

between the Russian Federation and Ukraine, signed at Kiev on 19 November 1990, the High Contracting Parties committed themselves to respect each other's territorial integrity within their currently existing frontiers. The Decree of the Supreme Soviet of the Russian Federation is incompatible with this commitment as well as with the purposes and principles of the Charter of the United Nations, and without effect.

"The Security Council welcomes the efforts of the Presidents and the Governments of the Russian Federation and Ukraine to settle any differences between them by peaceful means and urges that they take all steps to ensure the avoidance of tension.

"The Security Council will remain seized of the matter."

This statement will be issued as a document of the Security Council under the symbol S/26118.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 4.45 p.m.